

**Information to identify the case:**

Debtor 1	<b>Fernando Diaz</b>	Social Security number or ITIN	xxx-xx-4147
	First Name Middle Name Last Name	EIN	--
Debtor 2	<b>Patricia Diaz</b>	Social Security number or ITIN	xxx-xx-6265
(Spouse, if filing)	First Name Middle Name Last Name	EIN	--
United States Bankruptcy Court District of New Jersey			
Case number: <b>16-15233-RG</b>			

**Order of Discharge**

12/18

**IT IS ORDERED:** A discharge under 11 U.S.C. § 1328(a) is granted to:

Fernando Diaz

Patricia Diaz  
aka Patricia Huapaya

5/5/21

**By the court:** Rosemary Gambardella  
United States Bankruptcy Judge

**Explanation of Bankruptcy Discharge in a Chapter 13 Case**

This order does not close or dismiss the case.

**Creditors cannot collect discharged debts**

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily. 11 U.S.C. § 524(f).

**Most debts are discharged**

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts provided for by the chapter 13 plan.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

**Some debts are not discharged**

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for certain types of taxes specified in 11 U.S.C. §§ 507(a)(8)(C), 523(a)(1)(B), or 523(a)(1)(C) to the extent not paid in full under the plan;

**For more information, see page 2>**

- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for restitution, or a criminal fine, included in a sentence on debtor's criminal conviction;
- ◆ some debts which the debtors did not properly list;
- ◆ debts provided for under 11 U.S.C. § 1322(b)(5) and on which the last payment or other transfer is due after the date on which the final payment under the plan was due;
- ◆ debts for certain consumer purchases made after the bankruptcy case was filed if obtaining the trustee's prior approval of incurring the debt was practicable but was not obtained;

- ◆ debts for restitution, or damages, awarded in a civil action against the debtor as a result of malicious or willful injury by the debtor that caused personal injury to an individual or the death of an individual; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

**This information is only a general summary of a chapter 13 discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.**

In re:  
Fernando Diaz  
Patricia Diaz  
Debtors

Case No. 16-15233-RG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: May 05, 2021

User: admin  
Form ID: 3180W

Page 1 of 2  
Total Noticed: 7

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 07, 2021:**

Recip ID	Recipient Name and Address
db/jdb	+ Fernando Diaz, Patricia Diaz, 149 Brighton Ave, Belleville, NJ 07109-3510
516248845	MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN, Bank of America, PO BOX 31785, Tampa FL 33631-3785
516194463	+ Westgate Palace, LLC, 2801 Old Winter Garden Road, Ocoee, FL 34761-2965

TOTAL: 3

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	May 05 2021 20:25:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	May 05 2021 20:25:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
516068250	+ EDI: BANKAMER.COM	May 06 2021 00:23:00	BAC Home Loans, Po Box 15222, Wilmington, DE 19886-5222
516068251	EDI: BANKAMER.COM	May 06 2021 00:23:00	Bank of America, PO Box 31785, Tampa, FL 33631-3785

TOTAL: 4

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 07, 2021

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: May 05, 2021

Form ID: 3180W

Total Noticed: 7

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 5, 2021 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor MANUFACTURERS AND TRADERS TRUST COMPANY et al ... bkecf@milsteadlaw.com alubin@milsteadlaw.com
Benjamin Jamie Ginter	on behalf of Debtor Fernando Diaz gintr316@aol.com
Benjamin Jamie Ginter	on behalf of Joint Debtor Patricia Diaz gintr316@aol.com
Denise E. Carlon	on behalf of Creditor MANUFACTURERS AND TRADERS TRUST COMPANY et al ... dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor M&T Bank et al dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Rebecca Ann Solarz	on behalf of Creditor MANUFACTURERS AND TRADERS TRUST COMPANY et al ... rsolarz@kmlawgroup.com

TOTAL: 7